

EDMUND G. BROWN JR.  
Attorney General of the State of California  
DANE R. GILLETTE  
Chief Assistant Attorney General  
GERALD A. ENGLER  
Senior Assistant Attorney General  
PEGGY S. RUFFRA  
Supervising Deputy Attorney General  
NANETTE WINAKER, State Bar No. 186025  
Deputy Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 703-5934  
Fax: (415) 703-1234  
Email: Nanette.Winaker@doj.ca.gov

Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**CARLOS CHICO,**

Petitioner,

**v.**

**ROSEANNE CAMPBELL, Warden,**

Respondent.

C 05-01282 MJJ

**APPLICATION FOR  
EXTENSION OF TIME TO  
FILE RESPONSE**

Respondent hereby requests a 60-day extension of time until November 12, 2007, pursuant to Civil L.R. 7-8 and 7-11, within which to file a response to the petition for writ of habeas corpus and provide the relevant state record, as required by this Court's Order to Show Cause filed May 16, 2007. The application is based on the file in this case and the attached declaration of Nanette Winaker. Petitioner's counsel, Benjamin Ramos, has been contacted regarding respondent's request for an extension of time and has not lodged an objection.

Wherefore, respondent respectfully requests that the time within which respondent must comply with this Court's Order to Show Cause be extended to and including November 12, 2007.

//

1 Dated: September 7, 2007

2 Respectfully submitted,

3 EDMUND G. BROWN JR.  
Attorney General of the State of California

4 DANE R. GILLETTE  
Chief Assistant Attorney General

5 GERALD A. ENGLER  
Senior Assistant Attorney General

6 PEGGY S. RUFFRA  
7 Supervising Deputy Attorney General

8  
9 /s/ Nanette Winaker

10 NANETTE WINAKER  
11 Deputy Attorney General  
12 Attorneys for Respondent

13 NW:er

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Wherefore, respondent respectfully requests that the time within which respondent must comply with this Court's Order to Show Cause be extended to and including November 12, 2007.

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**CARLOS CHICO,**

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Respondent.

C 05-01282 MJJ

**DECLARATION OF  
NANETTE WINAKER IN  
SUPPORT OF APPLICATION  
FOR EXTENSION OF TIME  
TO FILE RESPONSE**

I, NANETTE WINAKER, declare under penalty of perjury:

I am a Deputy Attorney General for the State of California and am responsible for the preparation and filing of a response to this Court's Order to Show Cause in this habeas proceeding.

This Court's Order to Show Cause was filed May 16, 2007, and ordered respondent to file an answer within 60 days or by July 15, 2007. On July 23, 2007, this Court granted my application requesting an additional 60 days in which to file an answer; the current due date is September 13, 2007. I am unable to prepare and file a response by September 13, 2007, for the reasons set forth below.

In the past 60 days, I have filed respondent's briefs in the California Courts of Appeal in

1 *People v. Mazza* (A115237), *People v. Ray* (A111688), and *People v. Givens* (A115487). I have  
2 also filed a supplemental brief in *People v. Tran* (H030306). In addition, I was out-of-state and out  
3 of the office between July 18, 2007 – July 24, 2007, and August 20, 2007 – August 24, 2007.

4 I am currently preparing a respondent's brief in *People v. Bryant* (A114925), and will be  
5 out of the office on a prepaid vacation between September 12, 2007, and September 21, 2007. I  
6 must also prepare an answer in a previously assigned case. *See e.g., Saldana v. Scribner* (C 06-  
7 02126 JW (PR)).

8 Accordingly, I request that the Court grant respondent an extension of sixty days, to and  
9 including November 12, 2007, in which to file the response.

10 Dated: September 7, 2007

11 Respectfully submitted,

12 EDMUND G. BROWN JR.  
Attorney General of the State of California

13 DANE R. GILLETTE  
Chief Assistant Attorney General

14 GERALD A. ENGLER  
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Supervising Deputy Attorney General

16  
17  
18 /s/ Nanette Winaker

19 NANETTE WINAKER  
20 Deputy Attorney General  
21 Attorneys for Respondent

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10 SAN FRANCISCO DIVISION  
11

12 **CARLOS CHICO,**

13 Petitioner,

14 **v.**

15 **ROSEANNE CAMPBELL, Warden,**

16 Respondent.  
17

C 05-01282 MJJ

**[PROPOSED] ORDER**

18 **IT IS HEREBY ORDERED** that the time within which respondent is to answer the Order  
19 to Show Cause of May 16, 2007, and provide the relevant state court record, will be extended to  
20 November 12, 2007. Petitioner's traverse, if any, shall be filed and served within 30 days of service  
21 of an answer.  
22

23 Dated: \_\_\_\_\_

\_\_\_\_\_  
24 The Honorable Martin J. Jenkins  
United States District Judge  
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